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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Edward D. Fagan,

Plaintiff,

Index No. 08 cv 6715

- against -

Republic of Austria, Austrian National Bank, et. al.,  
Defendants.

AFFIDAVIT OF SERVICE

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STATE OF NEW YORK        )  
                                  )ss.:  
COUNTY OF NEW YORK    )

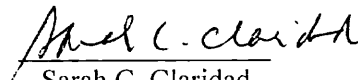
I, Sarah C. Claridad, being sworn, say:

I am not a party to the action, am over 18 years of age and reside at 1515 Lexington Avenue, New York, N.Y. 10029.


On the 19<sup>th</sup> of August, 2008, I serve the within Judge Swain's Endorsed Memo by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to the following persons at the last known addresses set forth:

Edward D. Fagan, Esq.  
Five Penn Plaza, 23<sup>rd</sup> Floor  
New York, NY 10001

Robert A. Weiner, Esq.  
McDermott Will & Emery LLP  
340 Madison Avenue  
New York, NY 10173-4613

  
Sarah C. Claridad

Sworn to before me the  
19<sup>th</sup> day of August, 2008.

  
Notary Public

STEPHEN M. HARNIK  
Notary Public State of New York  
No. 02HA-4694243  
Qualified in New York County  
Commission Expires May 31, 2011